



Patent
Attorney's Docket No. 005950-544

Ag/1764
Jhu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)

Scott R. Brundage et al.)

Application No.: 09/603,585)

Filed: June 26, 2000)

For: BLENDING OF ECONOMIC,)
ETHER FREE WINTER GASOLINE)

Group Art Unit: 1764

Examiner: Ellen M. Mcavvoy

Confirmation No.: 3095

REQUEST TO WITHDRAW NOTICE OF ABANDONMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Notice of Abandonment was mailed on August 12, 2004 in connection with the above identified application. The reason give for the abandonment was that:

"6. The decision by the Board of Patent Appeals and Interference rendered on 30 June 2004 and because the period for seeking court review of the decision has expired and there are no allowed claims."

A decision was rendered on June 30, 2004, however, the period for seeking court review has not expired. The period for seeking court review pursuant to 37 C.F.R. 1.304 is two months from the date of the decision. The period does not, therefore, expire until 2 months after June 30, 2004, or August 30, 2004. Thus, the above-identified application will not become abandoned until after August 30, 2004. Applicants therefore respectfully request withdrawal of the Notice of Abandonment mailed on August 23, 2004.

Furthermore, it should be noted that a continuation application pursuant to 37 C.F.R. 1.53 (b) has been filed with the U.S. Patent and Trademark Office on this date, claiming priority to the above-identified U.S. Patent application. A copy is attached hereto.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in triplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: August 27, 2004

By: _____


E. Joseph Gess
Registration No. 28,510

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING CONTINUATION/DIVISIONAL
APPLICATION UNDER 37 C.F.R. § 1.53(b)

COPY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer Number 21839

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 C.F.R. § 1.53(b) of the following pending application, by the following named inventor(s):

Application No. 09/603,585 Filed: June 26, 2000

Title:

BLENDING OF ECONOMIC, ETHER FREE WINTER GASOLINE

Inventor(s):

(1) Scott R. Brundage, (2) David A. Kohler and (3) Richard T. Engle

- ☒ The entire disclosure of the prior application from which a copy of the oath or declaration is supplied herewith is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application.

COPY

- ☐ This application is being filed by more than all the inventors named in the prior application. In accordance with 37 C.F.R. § 1.63(d)(5), a new oath or declaration is enclosed, and the Commissioner is requested to add the name(s) of the following person or persons who are inventors of the invention being claimed in this application.

COPY

☐ Applicant(s) suggests Figure for inclusion on the front page of the patent application publication and patent.

☒ Applicant(s) requests that the published application include the following assignment information:
Chevron U.S.A. Inc.

1. ☒ Enclosed is a copy of the prior Application No. 09/603,585 as originally filed on June 26, 2000, including copies of the specification, claims, drawings and the executed oath or declaration as filed.
2. ☐ Enclosed is a revised prior application and a copy of the prior executed oath or declaration as filed. No new matter has been added to the revised application.
3. ☐ Small entity status is hereby claimed.
4. ☒ The filing fee is calculated below ☒ and in accordance with the enclosed preliminary amendment.

CLAIMS					
	No. of Claims		Extra Claims	Rate	Fee
Basic Application Fee (1001)					\$ 770.00
Total Claims	45	MINUS 20 =	25	x \$18.00 (1202) =	\$ 450.00
Independent Claims	1	MINUS 3 =	0	x \$86.00 (1201) =	\$ 0.00
If multiple dependent claims are presented, add \$290.00 (1203)					
Total Application Fee					\$ 1,220.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Application Fee					\$ 0.00
Add Assignment Recording Fee of \$40.00 (8021) if Assignment document is enclosed.					
TOTAL APPLICATION FEE DUE					\$ 1,220.00

5. ☐ This application is being filed without a filing fee. Issuance of a Notice to File Missing Parts of Application is respectfully requested.
6. ☐ Charge to Deposit Account No. 02-4800 for the fee due.
7. ☒ A check in the amount of \$ 1,220.00 is enclosed for the fee due.
8. ☐ Charge to credit card. Form PTO-2038 is attached.
9. ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

COPY

COPY

10. ☒ Cancel in this application original claims 20-22 and 36-38 of the prior application before calculating the filing fee.

11. ☐ New drawings are enclosed.

12. ☐ Applicant(s) claims priority under 35 U.S.C. § 119 of the following application(s):

Country	Application No.	Filing Date MM-DD-YYYY

☐ The certified copy of the priority application

☐ is enclosed.

☐ was filed on _____ in prior Application No. _____,
filed on _____, and acknowledged by the Examiner on
_____ in Paper No. _____.

☐ has not yet been filed.

13. ☒ A preliminary amendment is enclosed.

14. ☐ An Information Disclosure Statement is enclosed.

15. ☐ A General Authorization for Payment of Fees and Petitions for Extensions of Time is enclosed.

16. ☒ Also enclosed is a Request to Withdraw Notice of Abandonment

17. ☐ The power of attorney in the prior application is to _____

a. ☐ The power appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☐ Recognize as Associate Attorney _____

COPY

COPY

Attorney Docket No. 005950-544
Prior Application No. 09/603,585

- d. ☒ Address all future communications to: (May only be completed by applicant, or attorney or agent of record.)

Burns, Doane, Swecker & Mathis, L.L.P.
Customer Number **2 1 8 3 9**
P.O. Box 1404
Alexandria, Virginia 22313-1404

August 27, 2004

Date

By: E. Joseph Gass

E. Joseph Gass
Registration No. 28,510

Address of signator:

Burns, Doane, Swecker & Mathis, L.L.P.
P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

- ☐ inventor(s)
☐ assignee of complete interest
☒ attorney or agent of record
☐ filed under 37 C.F.R. § 1.34(a)

COPY